



PTO/SB/21 (09-04)

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## TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

Application Number	10/826,880
Filing Date	April 13, 2994
First Named Inventor	BLATT, Joel M., et al.
Art Unit	1641
Examiner Name	Unknown
Total Number of Pages in This Submission	8 Attorney Docket Number
	XMET-1035039

## ENCLOSURES (Check all that apply)

<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): PTO/SB/08a; PTO/SB/08b; 15 cited foreign references; 13 cited publications; return receipt Postcard
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## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	Lin Yu Gordon & Rees LLP		
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Printed name	Lin Yu		
Date	October 21, 2005	Reg. No.	57,083

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Typed or printed name	Jose R. Lopez, Jr.
Date	October 21, 2005

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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:

BLATT, Joel M., *et al.*

Serial No.: 10/826,880

Filed: April 19, 2004

For: DRY REAGENT PARTICLE ASSAY  
AND DEVICE HAVING MULTIPLE TEST  
ZONES AND METHOD THEREFOR

Customer No.: 27111

Confirmation No.: Unknown

Group Art Unit: 1641

Examiner: Unknown

Docket No.: XMET-1035039

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Jose R. Lopez, Jr.**SECOND INFORMATION DISCLOSURE  
STATEMENT UNDER 37 C.F.R. § 1.97**

Mail Stop AMENDMENT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Pursuant to 37 C.F.R. §§ 1.56, 1.97 and 1.98, Applicants submit for consideration in the above-identified application the documents listed on the attached Forms PTO/SB/08a and PTO/SB/08b with the exception of United States published applications and issued patents for consideration by the Examiner.

This Information Disclosure Statement is submitted:

- Within three months of the application filing date or before mailing of a first Office Action on the merits; accordingly, no fee or separate requirements are required.
- After receipt of a first Office Action on the merits but before mailing of a final Office Action or Notice of Allowance.
- A fee is required. A check in the amount of \* is enclosed.

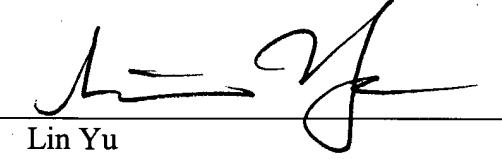
Appl. No. 10/826,880  
Filed: April 19, 2005  
Second Information Disclosure Statement

- A fee in the amount of \_\_\_\_\_ is required. Please charge Deposit Account No. 50-1990 in the amount of \$ \_\_\_\_\_. A duplicate copy of this paper is included herewith.
- A Certification under 37 C.F.R. § 1.97(e) is provided below; accordingly; no fee is believed to be due.
- After mailing of a final Office Action or Notice of Allowance, but before payment of the issue fee. Accordingly, a Petition requesting consideration of the Information Disclosure Statement, an authorization to charge our deposit account, and a Certification under 37 C.F.R. § 1.97(e) are provided herein.

In the unlikely event that the transmittal letter is separated from this document and the Patent Office determines that an extension and/or other relief is required, applicant petitions for any required relief including extensions of time to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No. 50-1990** referencing **XMET-1035039** and please credit any excess fees to such deposit account. However, the Commissioner for Patents is not authorized to charge the cost of the issue fee to the Deposit Account.

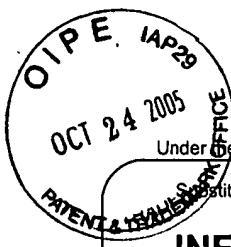
Respectfully submitted,

Dated: October 21, 2005

By:   
Lin Yu  
Registration No. 57,083

**Please recognize our Customer Number 27111  
as our correspondence address.**

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Attorney Docket No. XMET-1035039



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## INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Sheet

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of

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### Complete if Known

Application Number	10/826,880
Filing Date	April 19, 2004
First Named Inventor	BLATT, Joel M., et al.
Art Unit	1641
Examiner Name	Unknown

Attorney Docket Number XMET-1035039

### U. S. PATENT DOCUMENTS

Examiner Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> (if known)			
		US-D282,644	02-18-1986	Collister	
		US-D292,277	10-13-1987	Collister et al.	
		US-D294,807	03-22-1998	Stiso et al.	
		US-D318,331	07-16-1991	Phillips et al.	
		US-D318,811	08-06-1991	Caruso et al.	
		US-D323,893	02-11-1992	Arioka	
		US-D334,065	03-16-1993	Collister	
		US-2,387,244	10-23-1945	Compton	
		US-3,419,000	12-31-1968	Phillips	
		US-3,620,676	11-16-1971	Ward	
		US-3,770,382	11-06-1973	Carter et al.	
		US-3,993,451	11-23-1976	Verbeck	
		US-4,038,485	07-26-1997	Johnston et al.	
		US-4,129,417	12-12-1978	White	
		US-4,160,008	07-03-1979	Fenocketti et al.	
		US-4,233,402	11-11-1980	Maggio et al.	
		US-4,248,829	11-29-1981	Kitajima et al.	
		US-4,275,149	06-23-1981	Litman et al.	
		US-4,281,061	07-28-1981	Zuk et al.	
		US-4,301,412	11-17-1981	Hill et al	
		US-4,313,734	02-02-1982	Leuvering	
		US-4,315,890	02-16-1982	Tamers	
		US-4,366,241	12-28-1982	Tom et al.	
		US-4,373,932	02-15-1983	Gribnau	
		US-4,435,504	03-06-1984	Zuk et al.	
		US-4,446,232	05-01-1984	Liotta	
		US-4,477,575	10-1984	Vogel et al	
		US-4,517,288	05-14-1985	Giegel et al.	
		US-4,549,655	10-19-1985	Korsythe et al.	
		US-4,552,839	11-12-1985	Gould et al.	
		US-4,575,621	03-11-1986	Dreifus	
		US-4,594,327	06-10-1986	Zuk	
		US-4,595,439	06-17-1986	Boger et al	
		US-4,615,340	10-07-1986	Cronenberg et al	
		US-4,627,445	12-09-1986	Garcia et al.	
		US-4,637,403	01-20-1987	Garcia et al.	
		US-4,637,978	01-20-1987	Dappen	

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**Complete if Known**

Application Number	10/826,880
Filing Date	April 19, 2004
First Named Inventor	BLATT, Joel M., et al.
Art Unit	1641
Examiner Name	Unknown

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Attorney Docket Number XMET-1035039

	US- 4,654,310	03-31-1987	Ly	
	US- 4,673,657	06-16-1987	Christian	
	US- 4,703,017	10-27-1987	Campbell et al.	
	US- 4,713,165	12-15-1987	Conover et al	
	US- 4,719,338	01-12-1988	Avery et al	
	US- 4,731,726	03-15-1988	Allen et al	
	US- 4,734,360	03-29-1988	Phillips	
	US- 4,740,468	04-26-1988	Weng et al.	
	US- 4,756,828	07-12-1988	Litman et al	
	US- 4,757,004	07-12-1988	Houts et al	
	US- 4,774,192	09-27-1988	Terminiello	
	US- 4,787,398	11-29-1988	Garcia et al.	
	US- 4,790,979	12-13-1998	Terminiello et al.	
	US- 4,791,461	12-13-1988	Kishimoto et al	
	US- 4,806,312	02-21-1989	Greenquist	
	US- 4,853,335	08-01-1989	Olsen et al.	
	US- 4,855,240	08-08-1989	Rosenstein et al.	
	US- 4,857,453	08-15-1989	Ullman et al.	
	US- 4,861,711	08-29-1989	Friesen	
	US- 4,868,108	09-19-1989	Bahar	
	US- 4,883,688	11-28-1989	Houts et al	
	US- 4,913,881	04-03-1990	Evers	
	US- 4,935,346	06-19-1990	Phillips et al.	
	US- 4,943,522	07-24-1990	Eisinger et al.	
	US- 4,943,525	07-24-1990	Dawson	
	US- 4,945,205	07-31-1990	Litman et al	
	US- 4,959,307	09-25-1990	Olson	
	US- 4,959,324	09-25-1990	Ramel et al.	
	US- 4,960,691	10-02-1990	Gordon et al.	
	US- 4,973,549	11-27-1990	Khanna et al.	
	US- 4,987,085	01-22-1991	Allen et al	
	US- 4,995,402	02-26-1991	Smith et al.	
	US- 4,999,285	03-12-1991	Stiso	
	US- 4,999,287	03-12-1991	Allen et al.	
	US- 5,004,582	04-02-1991	Miyata et al	
	US- 5,004,583	04-02-1991	Guruswamy et al.	
	US- 5,006,474	04-09-1991	Horstman et al	
	US- 5,029,583	07-09-1991	Meserol et al	
	US- 5,030,558	07-09-1991	Litman et al	
	US- 5,035,704	07-30-1991	Lambert et al.	

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**Complete if Known**

Application Number	10/826,880
Filing Date	April 19, 2004
First Named Inventor	BLATT, Joel M., et al.
Art Unit	1641
Examiner Name	Unknown

Attorney Docket Number XMET-1035039

		US- 5,036,000	07-30-1991	Palmer et al.	
		US- 5,037,614	08-06-1991	Makita et al.	
		US- 5,049,487	09-17-1991	Phillips et al.	
		US- 5,059,394	10-22-1991	Phillips et al	
		US- 5,064,618	11-12-1991	Baker et al.	
		US- 5,075,078	12-24-1991	Osikowicz et al.	
		US- 5,079,174	01-07-1992	Buck et al.	
		US- 5,089,391	02-18-1992	Buechler	
		US- 5,091,153	02-25-1992	Bachand	
		US- 5,096,669	03-17-1992	Lauks et al.	
		US- 5,104,619	04-14-1992	de Castro et al.	
		US- 5,110,724	05-1992	Hewett	
		US- 5,114,350	05-19-1992	Hewett	
		US- 5,120,643	06-09-1992	Ching et al.	
		US- 5,126,247	06-30-1992	Palmer et al.	
		US- 5,126,276	06-30-1992	Fish et al	
		US- 5,132,086	07-21-1992	Allen et al.	
		US- 5,135,716	08-04-1992	Thakore	
		US- 5,141,850	08-25-1992	Cole et al.	
		US- 5,141,875	08-25-1992	Kelton et al.	
		US- 5,145,645	09-08-1992	Zakin et al.	
		US- 5,155,025	10-13-1992	Allen et al.	
		US- 5,168,042	12-01-1992	Ly	
		US- 5,171,688	12-15-1992	Hewett et al.	
		US- 5,173,433	12-22-1992	Bachand	
		US- 5,174,963	12-29-1992	Fuller et al.	
		US- 5,177,789	01-05-1993	Covert	
		US- 5,179,005	01-12-1993	Phillips et al.	
		US- 5,192,947	03-09-1993	Neustein	
		US- 5,200,317	04-06-1993	Georgevich	
		US- 5,200,321	04-06-1993	Kidwell	
		US- 5,202,268	04-13-1993	Kuhn et al.	
		US- 5,204,063	04-20-1993	Allen	
		US- 5,208,147	05-04-1993	Kagemow et al.	
		US- 5,212,060	05-18-1993	Maddox	
		US- 5,213,965	05-25-1993	Jones	
		US- 5,215,886	06-01-1993	Patel et al.	
		US- 5,218,312	06-08-1993	Moro	
		US- 5,223,219	06-29-1993	Subramanian et al	
		US- 5,223,220	06-29-1993	Fan et al.	

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Application Number	10/826,880
Filing Date	April 19, 2004
First Named Inventor	BLATT, Joel M., et al.
Art Unit	1641
Examiner Name	Unknown

Attorney Docket Number XMET-1035039

	US- 5,232,668	08-03-1993	Grant et al.	
	US- 5,234,813	08-10-1993	McGeehan et al.	
	US- 5,264,180	11-23-1993	Allen et al.	
	US- 5,340,539	08-23-1994	Allen et al.	
	US- 5,354,692	10-11-1994	Yang et al.	
	US- 5,409,664	04-25-1995	Allen	
	US- 5,416,000	05-16-1995	Allen et al.	
	US- 5,451,504	09-19-1995	Fitzpatrick	
	US- 5,569,608	10-1996	Sommer	
	US- 5,580,794	12-03-1996	Allen	

**FOREIGN PATENT DOCUMENTS**

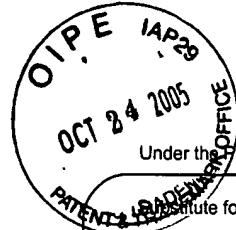
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	† <sup>5</sup>
		Country Code <sup>3</sup> "Number <sup>4</sup> "Kind Code <sup>5</sup> (if known)				
		CA 2019865 A1	01-12-1991	Thakore et al.		
		CA 2020029 A1	01-13-1991	Thakore et al.		
		CA 2028968 A1	05-25-1991	Thakore		
		EP 0182647 A2	05-28-1986	Salem		
		EP 0330517 A2	08-30-1989	Palmer et al		
		EP 0357400 A2	03-07-1990	Hewett et al		
		EP 0421294 A2	04-10-1991	Richerson et al		
		EP 0430395 A1	06-05-1991	Thakore		
		GB 2090659 A	07-14-1982	Kelley et al		
		WO 8300931 A1	03-17-1983	Jessop et al		
		WO 8808534 A1	11-03-1988	May et al		
		WO 9010869 A1	09-20-1990	Hewett		
		WO 9201498 A2	02-06-1992	Jones		
		WO 9506240 A1	03-02-1995	Allen		
		WO 9746868 A1	12-11-1997	Blatt et al.		

Examiner Signature		Date Considered
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Patent and Trademark Office  
Information Disclosure Statement for form 1449B/PTO

## INFORMATION DISCLOSURE STATEMENT BY APPLICANT

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Sheet 1

of 1

Complete if Known	
Application Number	10/826,880
Filing Date	April 19, 2004
First Named Inventor	BLATT, Joel M., et al.
Art Unit	1641
Examiner Name	Unknown
Attorney Docket Number	XMET-1035039

NON PATENT LITERATURE DOCUMENTS		
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.
		HAWKES, ET AL., "A Dot-Immunobinding Assay for Monoclonal and Other Antibodies," Analytical Biochemistry, 1/1/1982, Vol. 119, No. 1, pgs 142-147
		SHARON, ET AL., "Detection of Specific Hybridoma Clones by Replica Immunoabsorption of Their Secreted Antibodies," Proc. Natl. Acad. Sci. USA, 3/1979, Vol. 76, No. 3, pgs. 1420-1424
		"Home Cholesterol Testing", Lancet, 12/5/1992, Vol. 340, No. 8832, pg.1386
		VAN OUDHEUSDEN, ET AL., "A Multilayer membrane System for Blood Plasma Isolation for Use in Primary Health care", Ann Clin Biochem., 1991, Vol. 28, pgs. 55-59
		ALLEN, ET AL., "Instrument-Free Quantitative Test Systems", Applications of Diagnostics, 1990, pgs. 147-176
		ALLEN ET AL., "A Noninstrumented Quantitative Test System and Its Application for Determining Cholesterol Concentration in Whole Blood," Clin. Chem. 1990, Vol. 36, No. 9, pgs. 1591-1597
		FREE ET AL., "Dry Chemistry Reagent Systems," Lab. Med., 9/1984, Vol. 15, No. 9, pgs. 595-601
		FREE ET AL., "Simple Specific Test for Urine Glucose," Clin. Chem. 1957, Vol. 3, No. 3, pgs. 163-168
		COMER, "Semiquantitative Specific Test Paper for Glucose in Urine," Anal. Chem. 11/1956, Vol. 28, No. 11, pgs. 1748-1750
		FREE ET AL., "A Simple Test For Urine Bilirubin," Gastroenterology, 7/1953, Vol. 24, No. 3, pgs. 414-421
		FREE ET AL., "Self Testing, An Emerging Component of Clinical Chemistry," Clin. Chem. 1984, Vol. 30, No. 6, pgs. 829-838
		BALAZS, ET AL., "Use of Test Strips with Colour Meter to Measure Blood-Glucose," Lancet, 6/6/1970, Vol. 1, No. 7658, pg. 1232
		FREE, "Instrumentation for Bedside Information - Progress and Challenges," Pure Appl. Chem., 1982, Vol. 54, No. 11, pgs. 2063-2073

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\* EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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